

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

ERIN POWELL, as next friend to J.P., a
minor child

Plaintiff

V.

GRACO CHILDREN'S PRODUCTS,
INC.

Defendant

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NO: 4:14CV00661 SWW

ORDER

Erin Powell ("Powell") brings this product liability action as the next friend of her minor son, J.P., against Graco Children's Products, Inc. ("Graco"). Powell alleges that Graco designed and manufactured a defective booster seat that caused J.P. to suffered serious injuries. With her original complaint, Powell asserted an additional claim on her own behalf, alleging that she was personally entitled to damages to pay J.P.'s past and future medical expenses. Graco filed a motion to dismiss, asserting that Powell's personal claim for damages was time-barred. In lieu of filing a response to Graco's motion, Powell filed an amended complaint, which eliminates her personal claim for damages. Accordingly, Graco's motion is moot.

IT IS THEREFORE ORDERED that Defendant's motion to dismiss [ECF No. 10] is DENIED AS MOOT.

IT IS SO ORDERED THIS 5TH DAY OF JUNE, 2015.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE